

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

TYRRALL FARROW CANNON,	)	
	)	
Plaintiff,	)	<b>3 0 8 0 1 4 8</b>
	)	
v.	)	<b>No. 3:07mc00208</b>
	)	<b>Judge Trauger</b>
STATE OF CALIFORNIA, ET AL.,	)	
	)	
Defendants.	)	

**ORDER**

On January 7, 2008, the plaintiff, who has three strikes under 28 U.S.C. § 1915(g), was directed to pay the full three hundred fifty dollar (\$350.00) filing fee within thirty (30) days of the date of entry of that Order, or his complaint would be dismissed, and the full amount of the filing fee would be assessed against him anyway. (Docket Entry No. 2) The plaintiff has failed to pay the filing fee. Neither has he sought an extension of time to do so.

The Clerk is directed to **FILE** the complaint.

The plaintiff is herewith assessed the \$350.00 civil filing fee *In re Alea*, 286 F.3d 378, 382 (6<sup>th</sup> Cir. 2002). Pursuant to 28 U.S.C. §§ 1915(b)(1)(A) and (B), the custodian of the plaintiff's inmate trust account at the institution where he now resides is requested to submit to the Clerk of Court, as an initial payment, whichever is the greater of:

- (a) twenty percent (20%) of the average monthly deposits to the plaintiff's inmate trust account; or
- (b) twenty percent (20%) of the average monthly balance in the plaintiff's inmate trust account for the prior six (6) months.

Thereafter, the custodian is requested to submit twenty percent (20%) of the plaintiff's preceding monthly income, or income credited to the plaintiff's inmate trust account for the preceding month,

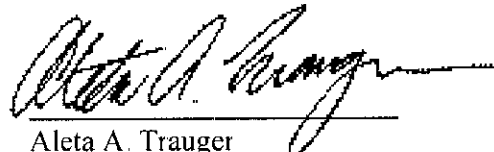
but only when such monthly income exceeds ten dollars (\$10.00). Such payments shall continue until the \$350.00 filing fee has been paid in full to the Clerk of Court as prescribed by 28 U.S.C. § 1914(a). 28 U.S.C. § 1915(b)(2).

This action is **DISMISSED** for failure to comply with the Court's Order, and for want of prosecution. *In re Alea*, 286 F.3d at 382.

The Clerk is instructed to forward a copy of this Order to the Warden at the Ironwood State Prison in Blythe, California to ensure that the custodian of the plaintiff's inmate trust account complies with the portion of the Prison Litigation Reform Act that pertains to the payment of filing fees.

Entry of this Order shall constitute the judgment in this action.

It is so **ORDERED**.

  
Aleta A. Trauger  
United States District Judge